

Amendments to the Drawings

The attached sheets include changes to Figs. 1 and 8, and replaces the original sheets with Figs. 1 and 8. Figure 1 has been amended to include Figs. 1A and 1B. In Fig. 8, the reference character "75" has been deleted.

Attachment: (2) Replacement sheets
 (2) Annotated sheets showing changes

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and amended as necessary to more clearly and particularly describe the subject matter which Applicant regards as the invention.

The drawings were objected to for failure to include figure labels "FIG. 1A" and "FIG. 1B." These labels have been added by amendment herein.

The drawings were further objected to for including the following reference characters not mentioned in the description: 71, 72, 75 and 78 in Fig. 8. Applicant respectfully submits that reference characters 71, 72 and 78 *are* mentioned in the specification on page 2 at lines 10–17. Reference character "75" has been deleted from Fig. 8 by amendment herein.

Claim 1 was rejected under the judicially created doctrine of obviousness-type double patenting over claim 1 of U.S. Patent No. 6,662,101. Claim 1 has been amended to include limitations from claim 3, which was not rejected on this ground. Thus, it is believed that the rejection has been rendered moot by the amendment.

Claims 1–10 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 1 and 8 have been amended to claim the implementation of the method by and information transmission system and the receiving of the information by a portable navigation apparatus. Thus, Applicant submits that the rejection has been overcome by the amendment.

Claim 1 was objected to for lack of antecedent basis. Appropriate correction has been made by amendment herein.

Claim 8 was objected to for an informality. Appropriate correction has been made by amendment herein.

Claims 1–10 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,249,740 to Ito et al. (hereinafter "Ito"). The claims have been amended from clarification, and for the following reasons it is respectfully submitted that claims 1-10 are not anticipated by Ito.

Regarding claim 1, Ito does not teach “transmitting on-road location information by an information provider, the on-road location information including: a string of coordinates line information representing a road shape of a road section” *and* “performing shape matching to identify said road section on a digital map of the portable navigation apparatus based on the string of coordinates line information,” as required. According to claim 1, a road shape represented by a string of coordinates line information transmitted by an information provider is matched to a road on a digital map of a portable navigation apparatus. By contrast, Ito uses the term “map matching” to refer to a method of indicating a current vehicle position on a route in a map which is being displayed on a display screen (see column 19, lines 31-46). It does not disclose matching a road shape to a road section on a digital map, as presently claimed. Rather, Ito discloses matching a vehicle position to a point on a map displayed on a screen.

Further, regarding claim 1, Ito does not teach “a string of coordinates line information representing a road shape of a road section having a *length determined depending on difficulty of shape matching*,” as required. The Examiner cites the specification of Ito at column 20, lines 18-22 for teaching this limitation. It is respectfully submitted that the cited disclosure teaches that a vehicle navigation apparatus (100) establishes a rectangular area, which can include a route length used to perform map matching. As explained above, the “map matching” disclosed by Ito differs from the “shape matching” required by claim 1.

For each of the above reasons, every limitation of claim 1 is not taught by the reference. Therefore, claim 1 and its dependent claims 2-7 are not anticipated by Ito, and the rejection should not be maintained. Further, a new claim 11, which depends from claim 1, has been added by amendment. Therefore the above arguments also apply to claim 11.

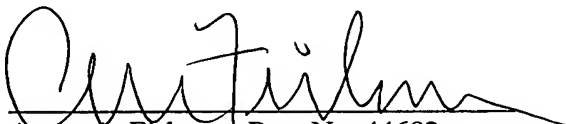
Regarding claim 8, Ito does not teach “determining whether the bearing deviation, dn , of an interpolation point, P_n . . . is smaller than a predetermined angle, α ; determining whether a distance, gn , of the interpolation point, P_n , from the preceding interpolation point, P_{n-1} , is shorter than a predetermined length, β ; and *omitting the interpolation point, P_n , from the string of coordinates if both $dn < \alpha$ and $gn < \beta$* as determined in the determining steps,” as required. The Examiner stated that the

disclosure of Ito at column 8, lines 31-35 teaches omitting an interpolation point as required by claim 8. Applicant respectfully submits that the cited passage of Ito teaches that detailed route guidance data is added for areas around course change points (such as departure point and destination). Therefore, Ito teaches omitting detailed information regarding areas around a particular point in a route, rather than omitting the point entirely, as in claim 8. Since every limitation of the claim is not taught by the reference, claim 8 and its dependent claims 9 and 10 are not anticipated by Ito, and the rejection should not be maintained.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 34408.

Respectfully submitted,
PEARNE & GORDON LLP

By: 
Aaron A. Fishman, Reg. No. 44682

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: February 1, 2006

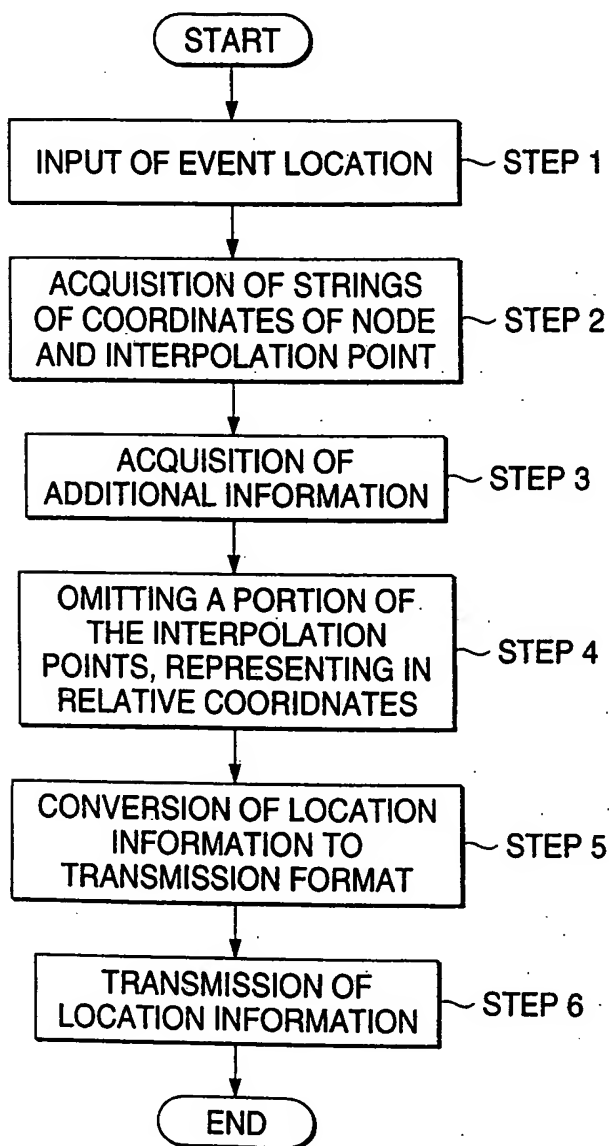


17

Annotated Sheet
Serial No.: 10/075,164
Filing Date: February 14, 2002
Confirmation No.: 6919
Art Unit: 2121
Atty. Docket No.: 34408
Sheet No.: 1 of 2

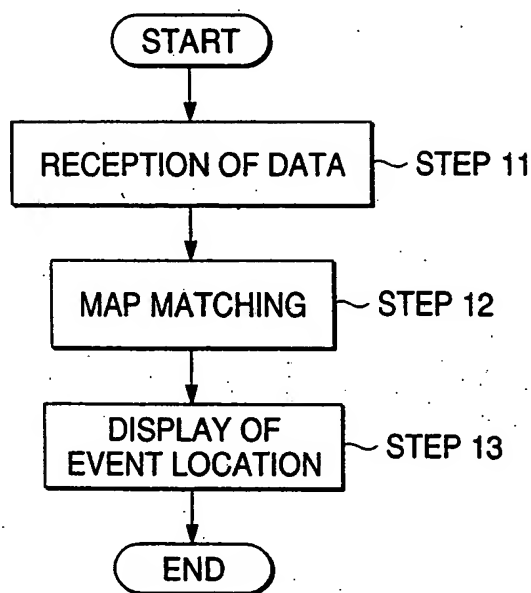
FIG. 1

< TRANSMITTING PARTY SIDE >



~ FIG. 1A ~

< RECEIVING PARTY SIDE >



~ FIG. 1B ~

7/7

FIG. 8

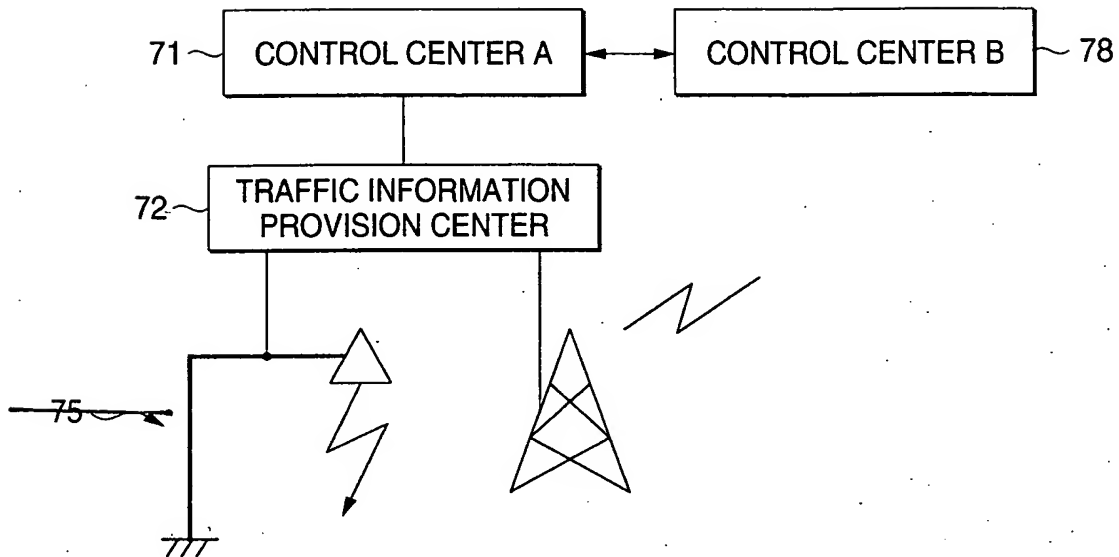


FIG. 9A

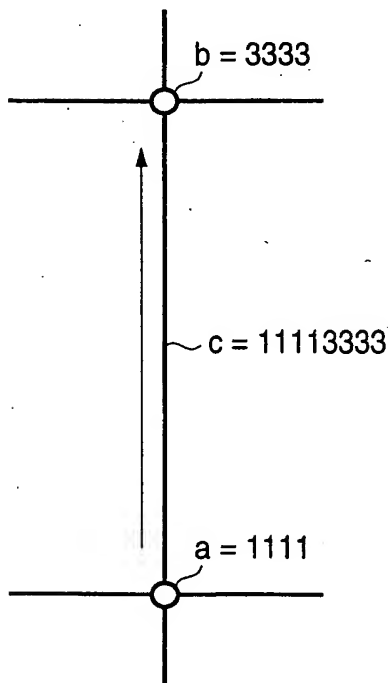


FIG. 9B

